

REMARKS

The Applicants have carefully reviewed the Office Action mailed January 5, 2007 and offer the following remarks.

Initially, the Applicants point out that claim 2 has been amended to correct a typographical error.

Claims 1-6, 8, and 9 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,496,867 B1 to *Beser et al.* (hereinafter “*Beser*”). The Applicants respectfully traverse the rejection.

According to Chapter 2131 of the M.P.E.P., in order to anticipate a claim under 35 U.S.C. §102, “the reference must teach every element of the claim.” The Applicants respectfully submit that *Beser* does not disclose each and every element recited in claims 1-6, 8, and 9. Accordingly, *Beser* cannot anticipate these claims.

More specifically, claim 1 recites a method of forwarding a packet to a destination comprising, among other features, encapsulating a packet, which is being sent to a private address, “resulting in an encapsulated packet, to indicate a public address of a public local sub-endpoint of said tunnel as a source address and said public address of said public remote sub-endpoint of said tunnel as a destination address.” Claims 8 and 9 include similar features. The Applicants respectfully submit that *Beser* does not disclose encapsulating a packet such that the resulting packet indicates a public address of a public local sub-endpoint of a tunnel as a source address and a public address of a public remote sub-endpoint of a tunnel as a destination address where the packet is being sent to a private address. In maintaining the rejection, the Patent Office states that *Beser* discloses this feature at col. 22, ll. 6-22.¹ The Applicants respectfully disagree. At most, *Beser* discloses figuring out where to send a packet by translating a private network address to a public network address.² However, *Beser* does not disclose encapsulating a packet such that the packet indicates that a local address of a public endpoint of a tunnel is a source address. Furthermore, *Beser* does not disclose encapsulating a packet being sent to a private destination address such that the packet indicates that a public address of a public remote sub-endpoint of a tunnel is a destination address. Accordingly, claims 1, 8, and 9 are patentable over *Beser* and the Applicants request that the rejection be withdrawn. Likewise, claims 3-6,

¹ See Office Action mailed January 5, 2007, pages 2 and 3.

² See *Beser*, col. 22, ll. 18-22.

which ultimately depend from claim 1, are patentable for at least the same reason along with the novel features recited therein.

Claim 2 recites that the tunnel recited in claim 1 “is a point to a multipoint tunnel.” The Applicants respectfully submit that *Beser* does not disclose that a tunnel is a point to a multipoint tunnel. In maintaining the rejection, the Patent Office states that Figure 1 of *Beser* discloses this feature.³ The Applicants respectfully disagree. While Figure 1 of *Beser* does disclose a first network device 14 in communication with a second network device 16, contrary to what is asserted by the Patent Office, *Beser* does not disclose a multipoint tunnel, much less a tunnel which is a point to a multipoint tunnel. As such, for this reason in addition to the reasons noted above, claim 2 is patentable over the cited reference and the Applicants request that the rejection be withdrawn.

The present application is now in a condition for allowance and such action is respectfully requested. The Examiner is encouraged to contact the Applicants’ representative regarding any remaining issues in an effort to expedite allowance and issuance of the present application.

Respectfully submitted,
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³ See Office Action mailed January 5, 2007, page 3.